

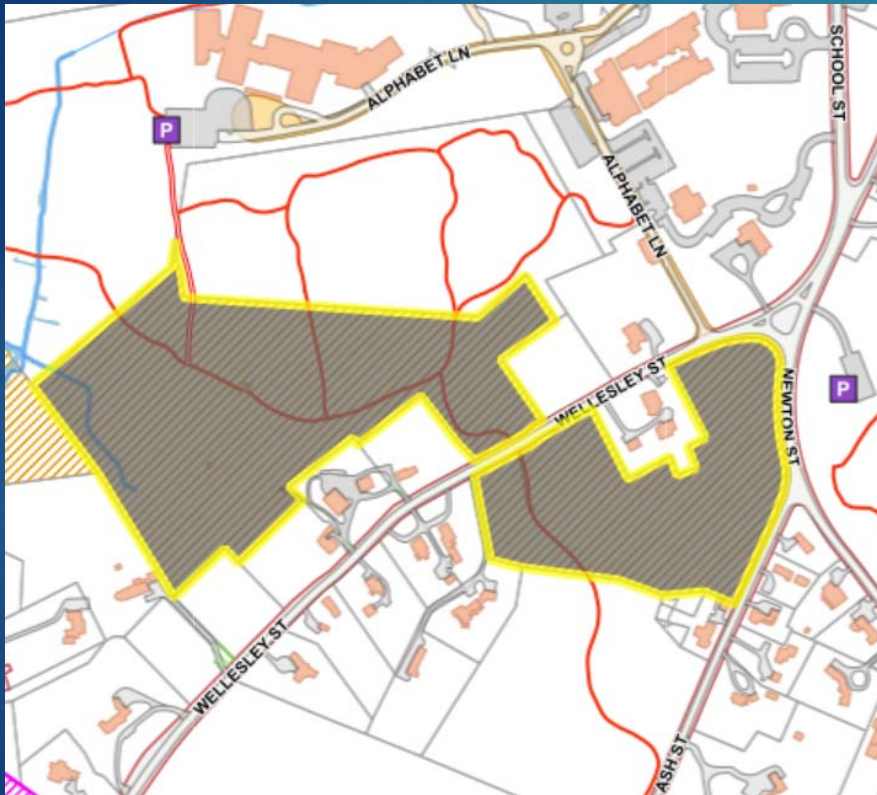


# Request to the Community Preservation Committee to Fund Stewardship Endowments on 2 Conservation Restrictions

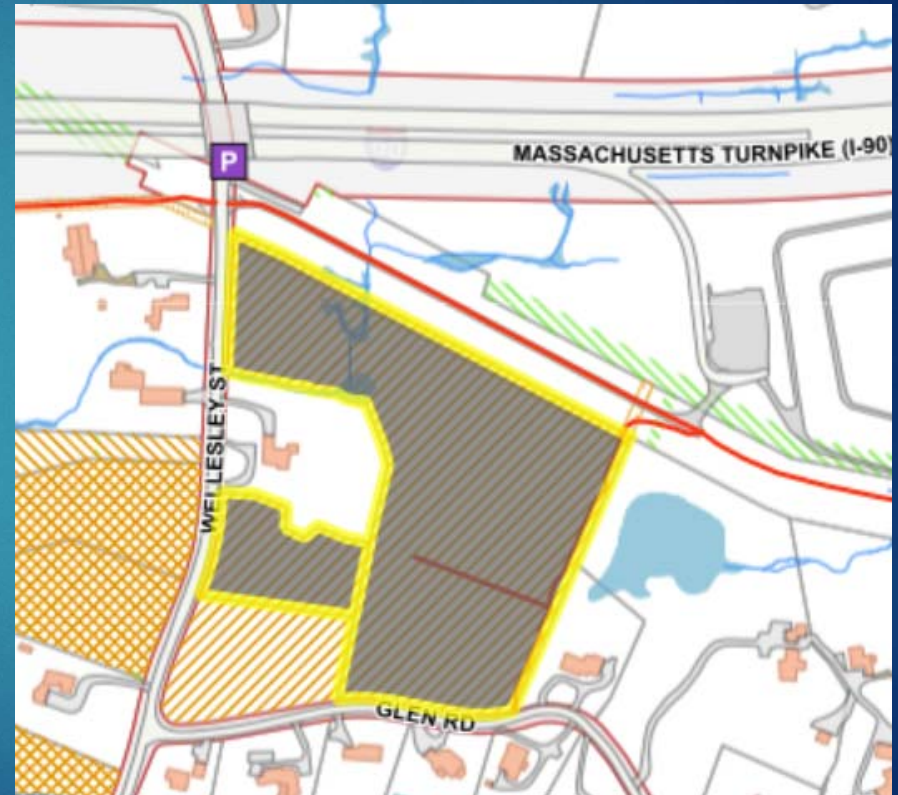
PRESENTED TO THE COMMUNITY PRESERVATION COMMITTEE

SEPTEMBER 18, 2023


## Recent Conservation Properties Purchased with Community Preservation Act Funds



Case Estates Parcels 1 and 2 (2016)



Wellington Farm (2019)

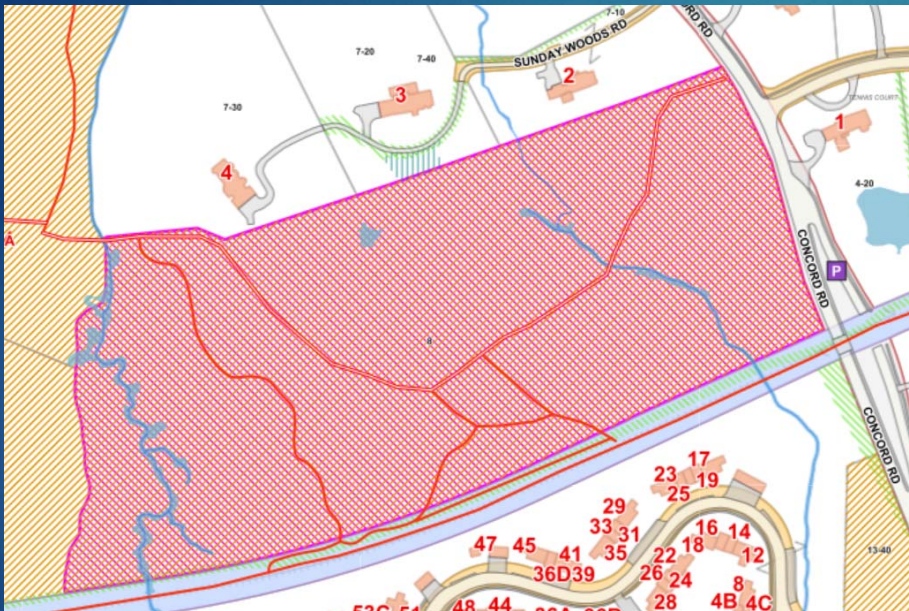


**Section 12a** of the Community Preservation Act **requires** that a permanent restriction be placed on any property acquired using CPA funds to ensure that the property continues to be used for the applicable CPA purpose.

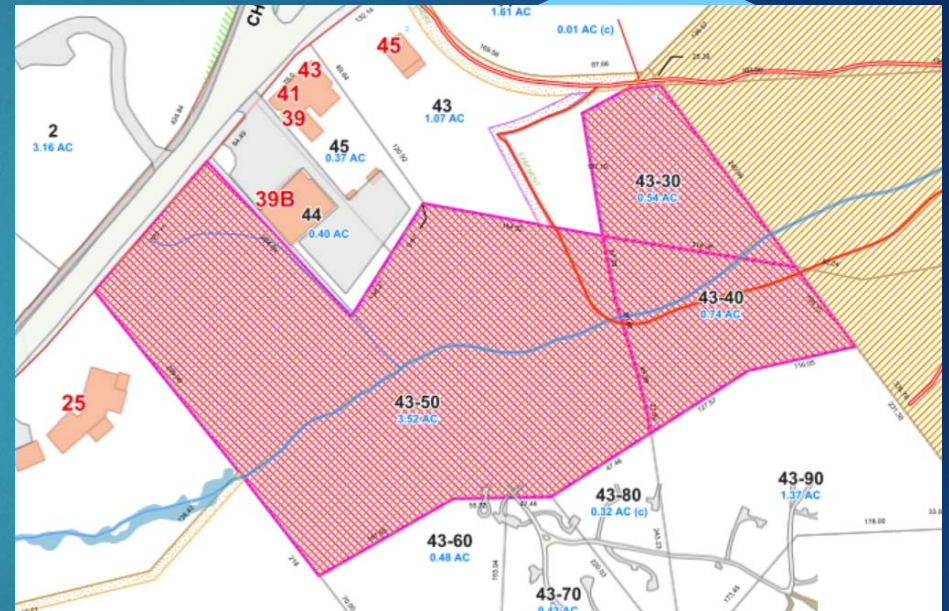
### **What is a Conservation Restriction?**

It is a legal agreement between a landowner and a land trust (or other agency) designed to permanently protect the conservation values of a property by defining allowed uses and restricting uses that degrade those conservation values (e.g. development).

# Past Conservation Properties Purchased with Community Preservation Act Funds



Sunday Woods (2002)



Sears Land Parcels (2005)



“Land trusts, state agencies, and municipalities should have a stewardship endowment, conservation fund, or other mechanism **to cover perpetual conservation restriction monitoring and defense costs.**”

A holder of a conservation restriction has accepted an obligation to uphold the terms of the restriction forever -- a period extending much longer than any individual involved in the transaction. Over the long term, there is a high probability that conservation restrictions will be violated, either intentionally or accidentally. In order to carry out its stewardship obligations and to adequately defend against future violations, it is critical that every holder have the financial resources to adequately carry out its stewardship obligations and defend future violations.”

- the Massachusetts Conservation Restriction Stewardship Manual (2006)

"An organization that agrees to hold a Conservation Restriction has responsibilities to fulfill, such as monitoring the parcel to ensure it is used according to the terms of the CR.

To cover those costs, many nonprofits will request payment of a one-time endowment to cover their future costs for holding the restriction. The amount will vary depending upon the situation.

**The good news is that Section 12a of the CPA legislation allows a municipality to use CPA funds to pay this one-time endowment - if the land was purchased with CPA funds."**

- The Community Preservation Coalition  
[www.communitypreservation.org/conservation-restrictions](http://www.communitypreservation.org/conservation-restrictions)

Examples of towns that have used CPA funds for stewardship endowments:

- ✓ Acton
- ✓ Holliston
- ✓ Hopkinton
- ✓ Marshfield
- ✓ Plymouth
- ✓ Southborough

## CPC Request for One-Time Stewardship Endowment Contributions

- \$30,000 total
- \$15,000 for each property (the Case Estates and Wellington Farm), provides approximately \$600/year for annual CR monitoring and defense (8 hrs @\$75/hr)
- This is a one-time contribution that will be made after the CR has been fully approved and transferred to the Weston Forest and Trail Association
- Funds will be designated specifically for Town-owned properties
- Anticipated timeline = 2024 for Wellington Farm and 2025 for the Case Estates.